

### NOTICE OF OBJECTION TO CONFIRMATION

WELLS FARGO BANK, N.A. has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC	ALBERT RUSSO, Trustee
1617 JFK Boulevard, Suite 1400	CN 4853, SUITE 101
Philadelphia, PA 19103	TRENTON, NJ 08650

2. Attend the hearing scheduled to be held on 12/05/2018 in the TRENTON Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: December 18, 2018

/s/ Craig Keiser  
Craig Keiser, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103

Tel: 856-813-5500 Ext. 44521

Fax: 856-813-5501

Email: [Craig.Keiser@phelanhallinan.com](mailto:Craig.Keiser@phelanhallinan.com)

**File No. 814838**

Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard  
Philadelphia, PA 19103  
856-813-5500  
FAX Number 856-813-5501  
WELLS FARGO BANK, N.A.

In Re:

ANA R. VARGAS

Debtors

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

Chapter 13

Case No. 18-26512 - CMG

Hearing Date: 12/05/2018

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, WELLS FARGO BANK, N.A., the holder of a Mortgage on debtors residence located at 111 BURNHAM DRIVE, FORDS, NJ 08863-1003 hereby objects to the Confirmation of the debtors proposed Chapter 13 Plan on the following grounds:

1. Movant is WELLS FARGO BANK, N.A..
2. Debtors, ANA R. VARGAS, CARLOS G. VARGAS are the owners of the property located at 111 BURNHAM DRIVE, FORDS, NJ 08863-1003.
3. On October 24, 2018, Movant filed a Proof of Claim listing pre-petition arrears in the amount of \$20,606.68
4. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
5. Debtor's Plan does not provide for specific payment of the mortgage arrears owed to Movant and only makes reference to the filed claim without stating the amount to be paid. Debtor's Plan calls for the sale of the property. There is no documentation to support such a proposal. The proposed sale of the property is speculative in nature.
6. Movant objects to Debtor's Plan as it is severely underfunded. Debtor's Plan should be amended to fully fund the arrears owed to Movant during the term of the Plan rather than rely on speculation that the property will be sold.

WHEREFORE, WELLS FARGO BANK, N.A. respectfully requests that the Confirmation of Debtors Plan be denied.

/s/ Craig Keiser  
Craig Keiser, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 44521  
Fax: 856-813-5501  
Email: Craig.Keiser@phelanhallinan.com

Dated: December 18, 2018

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

814838  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
856-813-5500  
Attorneys for WELLS FARGO BANK, N.A.

In Re:

Ana R. Vargas

Case No: 18-26512 - CMG

Hearing Date: 01/16/2019

Judge: CHRISTINE M.  
GRAVELLE

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, Bjorn Pilgrim:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents WELLS FARGO BANK, N.A. in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On December 20, 2018 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: December 20, 2018

/s/ Bjorn Pilgrim  
Bjorn Pilgrim

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
ANA R. VARGAS 111 BURNHAM DRIVE FORDS, NJ 08863-1003	DEBTOR	<input type="checkbox"/> HAND-DELIVERED <input checked="" type="checkbox"/> REGULAR MAIL <input type="checkbox"/> CERTIFIED MAIL/RR <input type="checkbox"/> E-MAIL <input type="checkbox"/> NOTICE OF ELECTRONIC FILING (NEF) <input type="checkbox"/> OTHER _____ (AS AUTHORIZED BY THE COURT *)
BRUCE C TRUESDALE, ESQUIRE 147 UNION AVENUE SUITE 1E MIDDLESEX, NJ 08846	DEBTOR'S ATTORNEY	<input type="checkbox"/> HAND-DELIVERED <input checked="" type="checkbox"/> REGULAR MAIL <input type="checkbox"/> CERTIFIED MAIL/RR <input type="checkbox"/> E-MAIL <input type="checkbox"/> NOTICE OF ELECTRONIC FILING (NEF) <input type="checkbox"/> OTHER _____ (AS AUTHORIZED BY THE COURT *)
ALBERT RUSSO, TRUSTEE CN 4853 SUITE 101 TRENTON, NJ 08650	TRUSTEE	<input type="checkbox"/> HAND-DELIVERED <input checked="" type="checkbox"/> REGULAR MAIL <input type="checkbox"/> CERTIFIED MAIL/RR <input type="checkbox"/> E-MAIL <input checked="" type="checkbox"/> NOTICE OF ELECTRONIC FILING (NEF) <input type="checkbox"/> OTHER _____ (AS AUTHORIZED BY THE COURT *)
U.S. TRUSTEE U.S. TRUSTEE US DEPT OF JUSTICE ONE NEWARK CENTER STE 2100 NEWARK, NJ 07102	TRUSTEE	<input type="checkbox"/> HAND-DELIVERED <input type="checkbox"/> REGULAR MAIL <input type="checkbox"/> CERTIFIED MAIL/RR <input type="checkbox"/> E-MAIL <input checked="" type="checkbox"/> NOTICE OF ELECTRONIC FILING (NEF)

		<input type="checkbox"/> OTHER _____ (AS AUTHORIZED BY THE COURT *)
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\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.